



THE STATE OF ARIZONA
GAME AND FISH DEPARTMENT

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GOVERNOR
DOUGLAS A. DUCEY

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DEPUTY DIRECTOR
TY E. GRAY



PUBLIC MEETING NOTICE AND AGENDA

May 22, 2015

A public meeting of the Arizona Game and Fish Commission will be held on **June 12-13, 2015** at the **Mazatzal Hotel (Fireside Room), Highway 87, Mile Marker 251, Payson, Arizona 85541**, as authorized by A.R.S. § 17-201(D). **Members of the public may attend the meeting in person or view the meeting at http://www.azgfd.gov/inside_azgfd/CommissionCam.shtml. On Friday only, members of the public may view the meeting from any one of the Department's six Regional Offices via video teleconference. The Department's Headquarters will also be available for viewing this meeting via video teleconference on Friday only. Members of the public attending in person or viewing via video teleconference may submit Speaker Cards (Blue Cards) if they wish to speak to the Commission. The ability to speak to the Commission for those viewing the webcast is not available. Unless expressly provided otherwise with any item on the agenda, the Commission may discuss and vote to take action on the following matters:**

Friday, June 12, 2015 - Meeting begins at 8:00 A.M.

Pledge of Allegiance

Introductions and Welcome

- 1. Call to the Public.** Those persons wishing to speak should complete a speaker's card and present it to the host. Unless prior approval has been granted by the Chairman, comments will be limited to no more than three minutes. No discussion or action will be taken by the Commission. Any items requiring further discussion or action will be included on a future Commission meeting agenda.
- 2. Consent Agenda.** The following items have been grouped together and are hereby noticed as consent agenda items to expedite action on routine matters, which may not require public discussion. The Commission will be asked to approve briefings and updates without further public input or discussion and to approve other matters as presented, subject to approval or recommendations of the Office of the Attorney General. Commission members may remove certain items if further public input or discussion is deemed necessary.
 - a. Right of Way Agreement Renewal with the US Bureau of Land Management. Presenter: Joyce Francis, Habitat Branch Chief.** The Department will ask to approve renewal of a Right of Way Agreement with the Bureau of Land Management for road access for administrative purposes at the Robbins Butte Wildlife Area.
 - b. Renewal of a Road Closure on State Trust Land Approximately Five Miles North of Chino Valley, Arizona. Presenter: Mark Weise, Development Branch Chief.** The

Department will ask the Commission to approve a request submitted by Ann Nelson Harrington to renew a road closure on State Trust Land located approximately five miles north of Chino Valley, Arizona.

- c. **Upper Verde River Wildlife Area Right of Way Agreement Renewal with the Arizona State Land Department. Presenter: Joyce Francis, Habitat Branch Chief.** The Department will ask the Commission to approve renewal of a Right of Way Agreement with the Arizona State Land Department for the purpose of legal access at the Upper Verde River Wildlife Area.
 - d. **Shooting Range Development Grant Requests for FY 2016. Presenter: Marty Fabritz, Shooting Sports Branch Chief.** The Department's Shooting Range Development Grant Program received 9 grant applications for fiscal year 2016. The Department will ask the Commission to approve 7 of the 9 applications totaling \$99,551.50.
 - e. **Statewide Audit of the Use of Voluntary Taxpayer Donations Procedural Review. Presenter: Kevin Hodgkins, Acting CFO, Business & Finance.** The Department will provide an informational report that shows no findings from the recent statewide audit of the Use of Voluntary Taxpayer Donations Procedural Review Report - July 1, 2011 through April 30, 2014.
- 3. **State and Federal Legislation. Presenter: Jorge Canaca, Legislative Liaison.** The Commission will be briefed on the status of State and Federal legislation. The Commission may take a position or provide direction to the Department for coordination, action, or proposed changes to legislation or other elective issues related to Department responsibilities. The Commission will also review its position on designation of Commission members to represent the Commission at the Legislature on emergency issues and issues on which the Commission has taken an official position.
 - 4. **Key Information Systems Development Initiatives. Presenter: Doug Cummings, Branch Chief, Information Systems.** The Department will present an overview of key information systems development initiatives. This will include future functionality for the Portal, Portal Operations, online draw, and the development of other related systems driving data integration and the ability to deliver additional functionality and content into the Portal.
 - 5. **Wolf Briefing. Presenter: Jim deVos, Assistant Director, Wildlife Management Division.** The Commission will be provided a general wolf briefing that will include an update on all actions the Department has taken since the last Commission meeting to accomplish the direction provided by the Commission at the August 5, 2014 Commission Meeting. The Commission may vote or provide direction to the Department.
 - 6. **Approve the Expenditure of Unspent Balances in the Heritage Fund, Wildlife Conservation Fund, Off Highway Vehicle Fund, Wildlife and Sport Fish Restoration, State Wildlife Grants, Coast Guard Grants, Program Income, Endangered Species Act (Section 6), Capital Improvement Fund and Indirect Fund for Fiscal Year 2016. Presenter: Ty Gray, Deputy Director.** The Commission will be asked to approve the expenditure of unspent fund balances for Fiscal Year 2016. The Commission will also be asked to approve the expenditure of unspent fund balances from the Heritage Fund, Wildlife Conservation Fund, Off Highway Vehicle Fund, Wildlife and Sport Fish Restoration, State Wildlife Grants, Coast Guard Grants, Program Income, Endangered Species Act (Section 6), Capital Improvement Fund and Indirect Fund for Fiscal Year 2016.

7. **Approve the amended Fiscal Year 2016 Game and Fish Fund Budget and the Fiscal Year 2017 Game and Fish Fund Budget Request. Presenter: Ty Gray, Deputy Director.** The Commission will be asked to vote to approve amended Fiscal Year 2016 Commission approved Game and Fish Fund budget and asked to approve the proposed expenditures from the Game and Fish Fund for Operating and Capital Outlay programs for Fiscal Year 2017.
8. **Approve the amended Fiscal Year 2016 Watercraft Licensing Fund Budget and the Watercraft Licensing Fund Budget Request for Fiscal Year 2017. Presenter: Ty Gray, Deputy Director.** The Commission will be asked to vote to approve the amended Fiscal Year 2016 Commission approved Watercraft Fund budget and approve the proposed expenditures from the Watercraft Licensing Fund for Fiscal Year 2017.
9. **Approve the Game, Nongame, Fish and Endangered Species Fund Budget Request for Fiscal Year 2017. Presenter: Ty Gray, Deputy Director.** The Commission will be asked to approve the proposed operating expenditures from the Game, Nongame, Fish and Endangered Species Fund for Fiscal Year 2017.
10. **Approve the Capital Improvement Fund Budget Request for Fiscal Year 2017. Presenter: Ty Gray, Deputy Director.** The Commission will be asked to approve the proposed expenditures from the Capital Improvement Fund for Fiscal Year 2017.
11. **Approve the Wildlife Endowment Fund Budget Request for Fiscal Year 2017. Presenter: Ty Gray, Deputy Director.** The Commission will be asked to approve the proposed expenditures from the Wildlife Endowment Fund for Fiscal Year 2017.
12. **Approve the amended Fiscal Year 2016 Off-Highway Fund Budget and the Off-Highway Vehicle Fund Budget Request for Fiscal Year 2017. Presenter: Ty Gray, Deputy Director.** The Commission will be asked to vote to approve the amended Fiscal Year 2016 Commission approved Off-Highway Vehicle Fund budget and to approve the proposed expenditures from the Off-Highway Vehicle Fund for Fiscal Year 2017.
13. **Approve the amended Fiscal Year 2016 Heritage Fund Budget and the Heritage Fund Budget Request for Fiscal Year 2017. Presenter: Ty Gray, Deputy Director.** The Commission will be asked to vote to approve the amended Fiscal Year 2016 Commission approved Heritage Fund budget and to approve the proposed expenditures from the Public Access; Identification, Inventory, Acquisition, Protection, and Management; Habitat Evaluation and Protection; Urban Wildlife and Urban Wildlife Habitat; Environmental Education; and Administration and Support Services (Interest Monies) sub-funds for Fiscal Year 2017.
14. **Approve the amended Fiscal Year 2016 Arizona Wildlife Conservation Fund Budget and the Arizona Wildlife Conservation Fund Budget Request for Fiscal Year 2017. Presenter: Ty Gray, Deputy Director.** The Commission will be asked to vote to approve the amended Fiscal Year 2016 Commission approved Arizona Wildlife Conservation Fund budget and to approve the proposed expenditures from the Arizona Wildlife Conservation Fund for Fiscal Year 2017.
15. **Approve the amended Fiscal Year 2016 Indirect Cost Recovery Fund Budget and the Indirect Cost Recovery Fund Budget Request for Fiscal Year 2017. Presenter: Ty Gray, Deputy Director.** The Commission will be asked to vote to approve the amended Fiscal Year

2016 Commission approved Indirect Cost Recovery Fund budget and to approve the proposed Fiscal Year 2017 expenditures from the Indirect Cost Recovery Fund.

- 16. Approve the amended Fiscal Year 2016 Federal Assistance Funds and the Fiscal Year 2017 Federal Assistance Funds Budget Request. Presenter: Ty Gray, Deputy Director.** The Commission will be asked to approve the proposed expenditures from the modified budget for Wildlife and Sport Fish Restoration grants and the Coast Guard grant for Fiscal Year 2016 and the Wildlife and Sport Fish Restoration Grants, Program Income, Coast Guard Boating Safety; Section 6 Endangered Species Act and State Wildlife Grants for Fiscal Year 2017.
- 17. Approve Exempt Rulemaking Amending R12-4-504, Watercraft Fees; Penalty for Late Registration; Staggered Registration Schedule. Presenter: Jennifer Stewart, Rules and Risk Branch Chief.** The Department will ask the Commission to approve a Notice of Exempt Rulemaking amending R12-4-504, Watercraft Registration Fees; Penalty for Late Registration; Staggered Registration Schedule.
- 18. State of the Hatcheries Report Briefing. Presenter: Chris Cantrell, Fisheries Branch Chief.** The Department will brief the Commission on the state of the hatcheries, including current budget status, existing maintenance needs, future plans for hatchery renovations, and potential funding sources needed to meet the demand from our angling customers.
- 19. Intergovernmental Agreement with Mohave County. Presenter: Chris Cantrell, Fisheries Branch Chief.** The Commission may approve an Intergovernmental Agreement between the Department and Mohave County to initiate trout stockings on the Colorado river below Davis Dam 2015 and 2016 on.

Agenda Items #19 through #21 are first read items. The Commission may choose to take action on first read items as needed or may direct the Department to place first read items on the consent agenda for approval at the next Commission meeting.

- 20. Cooperative Agreement regarding Apache Trout eggs between the Arizona Game and Fish Commission and the White Mountain Apache Tribe. Presenter: Chris Cantrell, Fisheries Branch Chief.** The Commission may vote to approve a 10 year Cooperative Agreement with the White Mountain Apache Tribe, institutionalizing a partnership on recreational fishing and recovery through the annual transfer of Apache Trout eggs.
- 21. License Agreement renewal with the City of Show Low at the Fool Hollow Wildlife Area. Presenter: Joyce Francis, Habitat Branch Chief.** The Commission will be asked to approve renewal of a License Agreement with the City of Show Low for development and maintenance of a hiking trail at the Fool Hollow Wildlife Area.
- 22. License Agreement Renewal with the Town of Pinetop-Lakeside for a trail. Presenter: Joyce Francis, Habitat Branch Chief.** The Commission will be asked to approve renewal of a License Agreement with the Town of Pinetop-Lakeside to maintain and manage a trail at the Pinetop Regional Office.

Agenda Items #22 and #23 are second read items. The Commission may choose to take action on second read items as needed or may direct the Department to place second read items on the consent agenda for approval at the next Commission meeting.

23. **Approve License Agreement renewal with the Federal Aviation Administration for the Purpose of Maintaining a Telecommunications Navigation Beacon. Presenter: Joyce Francis, Habitat Branch Chief.** The Commission will be asked to approve renewal of a License Agreement with the Federal Aviation Administration for the purpose of maintaining a telecommunications navigation beacon on the Three Points Shooting Range.
24. **A Briefing on Public Comment Received and Proposed Revisions to the Hunt Guidelines for the 2016-2017 and 2017-2018 Hunting Seasons. Presenter: Amber Munig, Big Game Management Supervisor.** The Commission will be briefed on the comment received thus far on the existing hunt guidelines and a preliminary draft of revised guidelines will be presented. Comment received on the preliminary draft at public meetings and through written correspondence will be shared as well.

Lunch Break (Begins at 12:00 p.m.)

TIME CERTAIN AT 2:00 PM

25. **Hearings on License Revocations for Violations of Game and Fish Codes and Civil Assessments for the Illegal Taking and/or Possession of Wildlife. Presenter: Gene F. Elms, Law Enforcement Branch Chief.** The Commission will consider and take action on the license revocations and/or civil assessments for the individuals listed below:

Name	Docket #	Count	Conviction
James M. Hutchings	2015-0039	Count A:	Apply for 2012 resident elk tag by misrepresentation
Christopher J. Ball	2015-0043	Count A:	Take wildlife without license (Bobcat)
Christopher M. Perez	2015-0044	Count A:	Possess/transport unlawfully taken wildlife (Bobcat)
William M. Harmon	2015-0047	Count A:	Apply for/obtain 2003 resident hunting license by misrepresentation
Bruce K. Barton	2015-0048	Count A:	Obtain 2012 resident fishing license by misrepresentation
Dean F. Logan	2015-0049	Count A:	Obtain 2014 resident hunting license by misrepresentation
John T. Harper	2015-0050	Count A:	Obtain 2013 resident hunt/fish license by misrepresentation
Paul S. Gould	2015-0051	Count A:	Obtain 2014 resident hunting license by misrepresentation
Chau M. Nguyen	2015-0052	Count A:	Take wildlife without a valid license (Tilapia)
		Count B:	Take wildlife by unlawful method
		Count C:	Possess/transport unlawfully taken wildlife (Tilapia)

26. **Rehearing Request Regarding Previous License Revocation/Civil Assessment. Presenter: Gene F. Elms, Law Enforcement Branch Chief.** Daniel K. Kollinger has requested a rehearing regarding the revocation of his license privileges.
27. **Discussion with Commission on Proposed Renewal of Private Game Farm License of Dona Mae Dougherty, holder of Private Game Farm License #SP654715. Presenter: Jay Cook, Region VI Supervisor.** The Department will discuss with the Commission the results of an informal settlement conference granting the application for a Private Game Farm License with added stipulations related to possession of African Servals.

28. **Proposed Consent Agreement and Order for Revocation of License of Darlene Braastad, holder of Wildlife Rehabilitation License #SP673997. Presenter: Raul Vega, Region V Supervisor.** The Commission may take action on a proposed Consent Agreement and Order containing Findings of Fact and Conclusions of Law and an Order revoking the wildlife rehabilitation license and license privileges of Respondent for five years for failure to comply with wildlife captivity standards and to allow a reasonable inspection of Respondent's facilities, and for unlawful possession of restricted live wildlife.
29. **Petition by Noel Allen for the issuance of a 2015 antelope tag or issuance of additional bonus points. Presenter: Kevin Hodgkins, Acting CFO, Business & Finance.** Noel Allen requests that he be issued a 2015 antelope tag or issued additional bonus points to be brought up to the maximum currently available to any hunter.
30. **Petition by Jon Copple for Reinstatement of Bonus Points and Tag Refund. Presenter: Kevin Hodgkins, Acting CFO, Business & Finance.** Jon Copple requests that his bonus points be reinstated and that his \$650 tag fee for Antlerless Elk be refunded due to alleged Department error.
31. **Update of Commission Awards. Presenter: Ty Gray, Deputy Director.** The Department will present the Commission with a list of award categories for the 2015 Commission Awards to be presented at the January 2016 Commission Awards Banquet. The Commission may vote to take action or provide the Department further direction on this item.
32. **Commission Meeting Travel Considerations. Presenter: Ty Gray, Deputy Director.** The Department will discuss Commission meeting travel cost considerations and guidelines with the Commission.
33. **Proposed Dates and Locations of Arizona Game and Fish Commission Meetings for 2016 and January 2017. Presenter: Ty Gray, Deputy Director.** The Department will ask the Commission to consider and select proposed meeting dates and locations for the Year 2016 and for January 2017.
34. **Election of Commission Chair and Vice-Chair for July 1, 2015 through June 30, 2016 and Election of Positions and Appointments to Standing Committees. Presenter: Ty Gray, Deputy Director.** The Commission will vote to elect a Commission Chair and Vice-Chair for July 1, 2015 through June 30, 2016. The incoming Commission Chair will then appoint individual Commissioners to chair the committees from July 1, 2015 through June 30, 2016. The Commission may vote to establish or dissolve committees.
35. **Executive Session (The Commission will not vote to take any action during Executive Session).**
 - a. **Litigation and Legal Advice.** The Commission may vote to meet in Executive Session in accordance with A.R.S. § 38-431.03(A)(3) and (4) for the purpose of discussing and consulting with legal counsel for legal advice in order to consider its position and to instruct legal counsel regarding the Commission's position concerning *Holden and Guynn v. Arizona Game and Fish Commission*, CV2014-013211; *In re General Stream Adjudication for the Little Colorado River and Gila River*; *Wagner v. Personnel Board*, LC2011-000683; Proposed Rosemont Copper Mine Project NEPA; *WildEarth Guardians v. Sandoval*, CIV 12-118; *Center for Biological Diversity v. U.S. Forest Service*, CV 12-0817; Phase One Bill Williams River Water Rights

Settlement Agreement (Planet Ranch); Arizona Game and Fish Department's Notice of Intent Regarding Mexican Wolf Recovery Planning; *Center for Biological Diversity v. Jewell*, CV 15-00019-LAB.

- b. Litigation and Legal Advice.** The Commission may vote to meet in Executive Session in accordance with A.R.S. § 38-431.03(A)(3) and (4) for the purpose of discussing and consulting with legal counsel for legal advice in order to consider its position and to instruct legal counsel regarding the Commission's position concerning the legal strategy recommendations from the Department's legal strategies team.
 - c. Purchase of Real Property and Legal Advice.** The Commission may vote to meet in Executive Session pursuant to A.R.S. § 38-431.03(A)(3) and (7) for the purpose of discussion or consultation with Department staff in order to consider its position and instruct its representative regarding the purchase of real property and for the purpose of discussing and consulting with legal counsel for legal advice.
 - d. Personnel Matters.** The Commission may vote to go into Executive Session in accordance with A.R.S. § 38-431.03(A)(1) to discuss personnel matters associated with the Director's duties, responsibilities and performance. The Commission may take action in the public session or defer any action to a later date.
- 36. Litigation Report.** The Department's legal counsel may report on the status of the litigation matters: *Holden and Guynn v. Arizona Game and Fish Commission*, CV2014-013211; *In re General Stream Adjudication for the Little Colorado River and Gila River*; *Wagner v. Personnel Board*, LC2011-000683; *WildEarth Guardians v. Sandoval*, CIV 12-118; *Center for Biological Diversity v. U.S. Forest Service*, CV 12-08176; Arizona Game and Fish Department's Notice of Intent Regarding Mexican Wolf Recovery Planning; *Center for Biological Diversity v. Jewell*, CV 15-00019-LAB.

Saturday, June 13, 2015 - Meeting begins at 8:00 A.M.

Pledge of Allegiance

Introductions and Welcome

- 1. Call to the Public.** Those persons wishing to speak should complete a speaker's card and present it to the host. Unless prior approval has been granted by the Chairman, comments will be limited to no more than three minutes. No discussion or action will be taken by the Commission. Any items requiring further discussion or action will be included on a future Commission meeting agenda.
- 2. Approve Proposed Commission Orders 19, 20, and 24 for the 2015–2016 Hunting Season. Presenter: Anis Aoude, Small Game Management Supervisor.** The Commission will consider and may vote to approve Commission Order 19 (dove), 20 (band-tailed pigeons), and 24 (sandhill cranes) establishing seasons and season dates, bag and possession limits, and open-closed areas. A detailed description of proposals is available for public review at all Department offices.
- 3. Approve Proposed Commission Order 29 for Special Big Game License-Tag Seasons for Mule Deer, White-tailed Deer, Pronghorn Antelope, Elk, Turkey, Javelina, Bighorn Sheep, Buffalo, Black Bear, and Mountain Lion for the 2016–2017 Special License Tag Hunting Seasons. Presenter: Amber Munig, Big Game Management Supervisor.** The

Commission will consider and may vote to approve Commission Order 29: Special Hunts, establishing seasons and season dates, bag and possession limits, permit numbers, and open areas for Special Big Game Hunt License Tags. A detailed description of all proposals is available for public review at all Department offices.

4. **Authorize Applications for Special Big Game Hunt License Tags for Pronghorn Antelope, Bighorn Sheep, Black Bear, Buffalo, Elk, Javelina, Mountain Lion, Mule Deer, White-tailed Deer, and Turkey for 2016–2017.** Presenter: Amber Munig, Big Game Management Supervisor. The Commission will consider and may vote to take action on applications from organizations for 2016–2017 Special Big Game License Tags as per R12-4-120. A detailed description of proposals is available for public review at all Department offices.
5. **Approve and Sign Minutes.** The Commission may approve and sign the Commission meeting minutes from May 1-2, 2015.
6. **Director and Commissioner Comments.** The Director and the Commissioners may provide brief comment on current events and issues. This item is for information only. Items requiring discussion, deliberation or legal action must be placed on a future Commission meeting agenda.
7. **Future Agenda Items and Action Items.**
8. **Tour of Canyon Creek Fish Hatchery and Surrounding Area.** Immediately following the regular agenda items, the Commission and Department staff will carpool to the Canyon Creek Fish Hatchery for a tour and informational briefing. The Canyon Creek Fish Hatchery is located approximately 45 miles east of Payson on highway 260; turn south off of 260 onto Young Road (288) and travel south for 3 miles, then turn east on Forest Service Road 33 (located under the power line) and travel 5 miles to the facility. The briefing will include general information, background, history, and future goals for the hatchery.

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Larry D. Voyles
Director



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The agenda may be revised and additional items may be added prior to the meeting as authorized by A.R.S. §38-431.02. In that event, an addendum to the agenda will be noticed and posted prior to the meeting at Department offices. Commission agenda items not noticed for a specific time may be taken out of order. Background materials provided to Commission members concerning public agenda items are available for public inspection at the main office of the Arizona Game and Fish Department at 5000 W. Carefree Highway, Phoenix, at Department regional offices in Pinetop, Flagstaff, Kingman, Yuma, Tucson, Mesa and at the meetings.

During the public meeting, the Commission may afford any person, their duly authorized representative, or both, the opportunity to present statements relating to agenda items, with or without the opportunity to present them orally. The Commission may go into Executive Session for the purpose of obtaining legal advice from the Commission Attorneys on any of the above agenda items pursuant to A.R.S. § 38-431.03 (A) (3) & (4). One or more members of the Commission may appear and participate in the meeting telephonically or by other electronic means.

Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, or this document in an alternative format, by contacting the AGFD Deputy Director, 5000 W. Carefree Highway, Phoenix, Arizona 85086, 602-942-3000. Requests should be made as early as possible to allow time to arrange the accommodation.

The Arizona Game and Fish Department is responsible for managing Arizona's fish and wildlife resource as an enduring public trust. In addition, the Department is charged with promoting safe and responsible use of watercraft and off-highway vehicles. Funding is provided from the sale of licenses and permits; watercraft registration fees; federal excise taxes on firearms, fishing equipment, boats, and other sporting goods; State lottery revenues; donations on State income tax forms; and various contracts and grants. Department policy is set by the Arizona Game and Fish Commission, whose five members are appointed by the Governor.

“Managing Today for Wildlife Tomorrow”